

privilege is not being abused in a manner that is a violation of law or detrimental to the security of the institution, employees, or other inmates.

2. All inmate phone calls shall be charged collect, unless charges to the institution are authorized in advance by the Warden or designee.

3. Telephone calls shall be permitted for all general population inmates subject to local policies developed by the Warden. Such policies may limit phone calls based upon the physical plant, security concerns, staffing, telephone availability, daily inmate schedules and conduct. All such policies shall be in writing and available for review by inmates and staff.

4. Inmates may be allowed emergency telephone calls subject to the limitations in Section IV, B of this policy.

5. ~~Telephone privileges may be summarily removed for cause if a rule violation is noted during the call.~~ Violations such as abusive language, excessive time on the phone, 3-way and forwarded calls shall be considered cause for summary removal of privileges. All violations shall be documented in a conduct report and the hearing officer or rules infraction board may suspend telephone privileges for rule violations.

6. The awarding of additional telephone privileges for demonstrated positive behavior may be utilized by unit staff where facilities, space and staffing permit. Any such privilege program shall be in writing, and posted for inmate review.

7. Generally, inmates in security control, disciplinary control, local control, protective control, and in special management status may place emergency or legal calls only when approved by the Warden or designee. All inmate calls made from segregation units shall be documented on the attached segregation telephone call record (DRC 2640).

8. Inmates may not receive incoming telephone calls unless arrangements for such are made in advance and approved by the Warden or designee.

#### B. Monitoring Inmate Phone Calls:

1. Telephone calls may be voice monitored and/or recorded by staff designated by the Warden on a random or regular basis or for cause. Any violations shall subject the inmate to disciplinary action. All emergency telephone calls may be voice monitored.

2. A sign clearly stating that telephone calls may be monitored shall be posted in clear view of all inmate telephones.

#### C. Legal Calls

1. On occasion, courts will schedule pre-trial hearings via conference calls between the plaintiff, plaintiff's attorney, defendant, defendant's attorney and the courts. In such cases, it is imperative that all factors are properly coordinated to ensure availability of the inmate, private telephone access and visual monitoring. Upon receipt of such hearing notice, the Warden will assign a specific staff member to coordinate the telephone pre-trial hearing. All such calls shall be visually monitored, but not voice monitored.

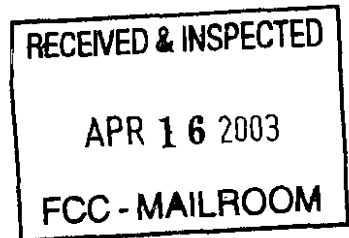
2. Inmates' use of telephones to place calls to parties outside of the institution is conditioned on their consent to these calls being monitored. As such, these telephone calls are not appropriate for legally recognized privileged communication. If an inmate wishes to have a privileged communication, this generally should occur in person or through the mail, subject to the provisions made in regulations governing legal services, mail, printed materials and visitation. In the event of an urgent legal matter, an inmate may contact unit personnel to request arrangement of an unmonitored telephone call. Telephone calls with an attorney, that have been cleared and approved by the Warden or designee, shall not be voice monitored, but shall be visually monitored.

---

**ATTACHED FORMS:****DRC2640**

# **EXHIBIT 11**

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554



In re: )  
 ) DA-03-874  
Petition for Declaratory Ruling )  
By Outside Connection, Inc. ) AFFIDAVIT OF  
 ) JAMES D. SHUTT  
To: The Commission )

JAMES D. SHUTT, being duly sworn, deposes and says that:

1. I am the Director of the Bureau of Standards, Practices, Security, Accreditation and Internal Audits of the Pennsylvania Department of Corrections ("Department") and have served in that capacity since February of 1999. Prior to serving in this capacity, I served as the Chief of the Standards and Practices Division beginning in January 1998. I have been employed by the Department since 1977 and have worked in numerous capacities working my way up through the ranks of Corrections Officers until appointment as Major of the Guard when I was appointed to serve as Chief of Security for the Department. Following that I served as a Deputy Superintendent for Facilities Management at a state correctional facility before my appointment as Special Assistant to the Executive Deputy Secretary for the Department, the Chief of the Standards and Practices Division, and now as the Director of the Bureau of Standards, Practices, Security, Accreditation and Internal Audits.

2. I submit this affidavit based on personal knowledge and upon information provided to me by staff gleaned from the Departments' records.

3. In my current position I am responsible for overseeing the following activities: emergency preparedness coordination; special teams emergency response coordination; intelligence information coordination; drug interdiction program coordination; corrections officer staffing audits; security operations inspections/audits; use of force situation reviews;

extraordinary occurrence report reviews; capital case transport coordination; high risk inmate transport coordination; security threat group information coordination; policy violation investigation; authorized defensive weapons coordination; development coordination of policies/manuals/bulletins; review coordination of policies/manuals; distribution of policies/manuals/bulletins; tracking of policies/manuals/bulletins; archiving of superseded policies/manuals/bulletins; reviewing and appraising the reliability, adequacy, and application of operating procedures and controls; ascertaining the extent to which established policy and procedures are followed; appraising the quality of performance with which assigned responsibilities are carried out; assessing operational procedures for the purpose of formulating "best practices" for establishing standard operating procedures; and recommending operating improvements.

4. I served as the Departments' Chief of Security from April 1990 to November 1992, during that the Department discovered numerous incidents of inmates engaging in criminal activity through use of telephone at their institutions.

5. At that time, Department policy allowed inmates use of telephones with the level of access dependent on the inmate's housing status. Policy exercised control over inmates' access to the telephones only in terms of time, number of calls and costs in that all calls that were placed were collect calls. However, the Department had no way at that time of monitoring or controlling who an inmate contacted through use of the telephone.

6. Law enforcement agencies and internal investigations, discovered numerous credit card scams by inmates using Department telephones. In brief, the credit card scams consisted of inmates making phone calls from a correctional facility to an outside party who would then make a third party call from that telephone enabling the inmate to scam various

businesses, banks and other financial institutions for credit cards numbers. Inmates would then use the credit card information to purchase various goods including clothing, jewelry and appliances. Conservatively, these credit cards scams resulted in the loss of hundreds of thousands of dollars for the involved businesses.

7. It also was discovered that a number of inmates were involved in the theft of phone serves. This also happened through the ability of inmates to place third party calls through associates on the outside of the institution. It was learned that associates on the outside would set-up phony businesses and contract for long-distance phone services. Inmates would then utilize the phony business to forward their calls or place third party calls. After several months of using the long-distance services, the persons setting up the phony business would disappear without paying for the services

8. The discovery of these criminal activities along with the Department's inability to control various aspects of the inmate's use of the telephone system caused the Department solicited proposals for an inmate telephone system giving the Department much greater control to an inmate's access to the outside through the telephones. Specifically, the Department of General Services sought on behalf of the Department, proposals for a telephone system that among other things include the following standards: (a) a one way, outgoing only service; (b) collect only, station-to-station calling; (c) direct dial calls of any type must be prohibited; (d) access to 411 or other information services must be prohibited; (e) access to 800 numbers must be prohibited; (f) access to multiple long distance carriers by 800 plus, 900 plus, 950 plus, 976 plus, numbers etc. must be prohibited; (g) access to 911 emergency systems must be prohibited; (h) cut off control switches must be provided to the facility officials to control telephone service availability; (i) the system must be restricted to use in association with an

authorized Personal Identification Number assigned to each inmate; (j) the system must be able to take an individual station out of service; (k) the vendor must be able to provide detailed information as to completed calls and attempts by pin number, and queries on the system as to whether a specific telephone number is in the system on demand; (l) the ability to restrict by the combination of inmate and call party; and perhaps most importantly with regard to controlling inmate criminal activity; (m) the ability to detect in real time the called parties that attempt to access three way or conference calling on a call made from the inmate telephone system and the ability to terminate the connection instantaneously upon detection of the attempt to access three way or conference calling.

9. In July 1997, the Department issued its policy on the newly established Automated Inmate Telephone System ("DC-ADM 818"). The Automated Inmate Telephone System included all of the features described above giving the Department far greater control over inmate placed telephoned calls.

10. In order to access telephone privileges, an inmate must complete a form listing up to 20 telephone numbers that the inmate desires to call. Attorney telephone numbers are not counted against the total of 20. The list must include the complete name, relationship, telephone number and street address of the persons whom the inmate wishes to call. The inmate is also issued a Personal Identification Number ("IPIN"), which is considered confidential. The Departments' inmate telephone system has the ability to enter the numbers listed on the inmate's telephone list under the IPIN number. Calls cannot be completed to any number not listed on the inmate's telephone list and entered into the Automated Inmate Telephone System.

11. Under Department policy, inmates are prohibited from initiating calls to a number of different persons including former inmates, employees of the Department, Judges and other

officials of the criminal justice system, minors, crime victims and so on. While inmates were always prohibited from calling these parties, until implementation of the Automated Inmate Telephone System, the Department had no ability to block calls to these parties. The new system provides the ability to block calls to any of these numbers.

12. The Commonwealth also purchased a monitoring and recording system that is integrated with the Automated Inmate Telephone System. Under that system and with changes to the Wire Tapping and Electronic Surveillance Act (18 Pa. C.S. § 5701 et.seq.), all inmate telephone calls from the Automated Inmate Telephone System are recorded and subject to interception and monitoring except those placed to and from an attorney. Under Department policy, inmate calls are periodically monitored or monitored if there is reason to believe criminal activity, escape or other inappropriate or illegal behavior is being discussed.

13. To the maximum extent possible, the Automated Inmate Telephone System purchased by the Commonwealth and Department policy grant the Department the ability to control, monitor and record a inmate's use of telephone. This has greatly enhanced the Department's ability to prevent inmate criminal activity while incarcerated. One of the most important tools in this regard is the system's ability to prevent three way callings, call forwarding or calls through a call forwarding service using a local telephone number. Department policy specifically prohibits any attempt to this kind of calls. (*See* DC-ADM 818, VI. C.2.(h).) Any attempt by a called party to place a three way call or forward the call will cause the system to terminate the call immediately. Our correctional facilities have received numerous complaints from inmates from time to time claiming that their call was improperly terminated. The Department's service provider is able to determine the cause for termination of the call or



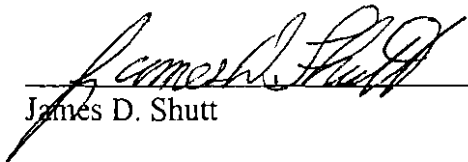
interruption of the call. In most instances, those calls were terminated because of an attempt by the called party to place a three-way call or forward the call placed by the inmate.

14. The features of the Department's Automated Inmate Telephone System have provided extremely useful intelligence that has been used on number of occasions to thwart criminal activity, block inmate contact with persons threatened by the inmate or persons who do not desire contact from inmates, prevent the introduction of drugs or other contraband into our correctional facilities, and uncover improper personal relationships between staff or volunteers and inmates which represent a direct threat to the security of our facilities.

15. I am aware that Outside Connection is offering a service to telephone customers who receive direct calls from inmates housed New York in correctional facilities under the New York State Department of Correctional Services. I understand that this service will allow inmates to call local telephone numbers owned by Outside Connections. The call will then be forwarded to a subscriber of Outside Connections at a remote location. This process is known as remote call forwarding.

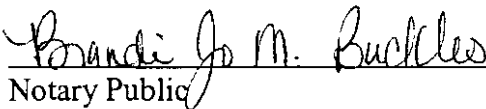
16. It is my opinion and belief that any service that permits remote call forwarding of a call place by an inmate would greatly diminish the Department's ability to control and monitor inmate telephone communications. The Department's ability to access the name and address of the parties called, to block calls to prohibited numbers, and to verify to whom a call is placed are critical to the Department's need to ensure appropriate inmate use of the telephones. Specifically, it is my opinion that allowing service providers to offer remote call forwarding allows inmates to bypass the control features of the Automated Inmate Telephone System with the possibility of engaging in the criminal activity the system was designed to prevent.

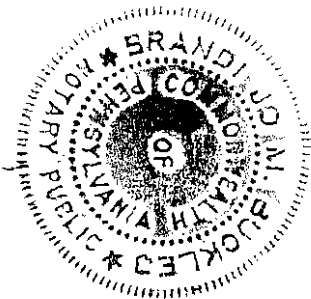
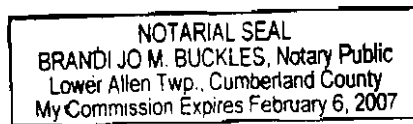
WHEREFORE, I submit this affidavit in opposition to outside connections Petition for  
Declaratory Ruling.

  
James D. Shutt

Sworn to before me this

15<sup>th</sup> day of April 2003

  
Notary Public



# **EXHIBIT 12**

In Re:

Debtors.

Plaintiff,

-against-

MCI WORLDCOM and  
NEW YORK STATE DEPARTMENT OF  
CORRECTIONAL SERVICES,  
Defendants.

Case No. 02/13533 (AJG)  
Chapter 11

Adversary Proceeding  
No. 02/8092A (AJG)

Upon consideration of the Plaintiff's Motion for an Order Pursuant to Rule 41 of the Federal Rules of Civil Procedure as well as the Doctrine of Primary Jurisdiction Dismissing, Without Prejudice, the Complaint Filed by Outside Connection, Inc. (the "Voluntary Dismissal Motion"); the Motion of Defendant MCI WORLDCOM Communications, Inc. for an Order Dismissing the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) (the "Debtor's Motion to Dismiss"); the Motion of Defendant New York State Department of Correctional Services for Summary Judgment (the "DOCS Summary Judgment Motion"); this Court's Order of May 15, 2003, Establishing Procedures and Conditions for Dismissal of Adversary Proceeding; and this Court's Order of July 16, 2003, requiring payment of attorneys' fees and costs by OC within thirty (30) days;

And having considered that both Defendants have timely filed statements of costs and expenses, including attorneys' fees, incurred in relation to the claims asserted in this Adversary Proceeding, and that Plaintiff has failed to file and serve, within ten (10) days of submission of Defendants' statement of costs and expenses, any objection to such statements;

And having considered that Plaintiff has failed to pay any costs or expenses to Defendant MCI WORLDCOM Communications, Inc. or Defendant New York State Department of Correctional Services within the ordered thirty (30) day time frame; it is hereby:

ORDERED that all of OC's claims asserted in the above-captioned adversary proceeding are hereby dismissed *with prejudice*.

Dated: New York, New York  
August 22, 2003

s/ Arthur J. Gonzalez  
UNITED STATES BANKRUPTCY JUDGE

# **EXHIBIT 13**



Who's  Domain Search Domain Suggestions For Sale Sales History Auction Search Aftermarket.com Live Auctions Domain Monitor

Domain Directory  204.4.75.35 Traceroute  204.4.75.35 My IP Address Domain Parking Check Domain Name Registration Bulk Check Domain Type Generator [more](#)

Power Tools: Reverse IP Domain History Mark Alert Name Server buy Hosting History Registrant Search Registrant Alert

## Domain History

Domain Name:

7 records found for **conscallhome.com**

Red links are a privacy protected record

Similar records are grouped by background color

2008	2009
<a href="#">2008-01-18</a>	<a href="#">2009-01-16</a>
<a href="#">2008-06-08</a>	<a href="#">2009-03-25</a>
<a href="#">2008-06-09</a>	
<a href="#">2008-09-11</a>	
<a href="#">2008-11-22</a>	

[Discontinue this Unit Service](#)



Whois <input type="text"/>	<a href="#">Domain Search</a>	<a href="#">Domain Suggestions</a>	<a href="#">For Sale</a>	<a href="#">Sales History</a>	<a href="#">Auction Search</a>	<a href="#">Aftermarket.com Live Auctions</a>	<a href="#">Domain Monitor</a>
<a href="#">Domain Directory</a>	<a href="#">Ping</a> <input type="text" value="204.4.75.35"/>	<a href="#">Traceroute</a> <input type="text" value="204.4.75.35"/>	<a href="#">Any IP Address</a>	<a href="#">Domain Parking</a>	<a href="#">Check Domain Name Registration</a>	<a href="#">Buy Direct</a>	<a href="#">Domain Type Generator</a> <a href="#">more &gt;</a>
<a href="#">Power Tools:</a>	<a href="#">Reverse IP</a>	<a href="#">Domain History</a>	<a href="#">Mark Alien</a>	<a href="#">Name Server Spy</a>	<a href="#">Hosting History</a>	<a href="#">Registrant Search</a>	<a href="#">Registrant Alert</a>

## Conscallhome.com on 2009-03-25 - Domain History

[« Previous](#)

**Domain:** [conscallhome.com](#) - [Domain History](#)

**Cache Date:** 2009-03-25

**Registrar:** **GODADDY.COM, INC.**

**Registrant** Click on an email address we found in this whois record

**Search:** to see which other domains the registrant is associated with:

[wendymeade@hotmail.com](#)

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**Registrant:**

Teleware, LLC

331 Cape Coral Pkwy, W

Suite C

Cape Coral, FL 33914



United States

Domain Name: CONSCALLHOME.COM

Created on: 16-Jan-08

Expires on: 16-Jan-11

Last Updated on: 14-Feb-09

Administrative Contact:

Meade, Wendy wendymeade@hotmail.com

Teleware, LLC

331 Cape Coral Pkwy, W

Suite C

Cape Coral, FL 33914

United States

2393216123 Fax --

Technical Contact:

Meade, Wendy wendymeade@hotmail.com

Teleware, LLC

331 Cape Coral Pkwy, W

Suite C

Cape Coral, FL 33914

United States

2393216123 Fax --

Domain servers in listed order:

NS21.DOMAINCONTROL.COM

NS22.DOMAINCONTROL.COM



[Memberships](#) | [Roundtable](#) | [Blog](#) | [Registrant Search](#) |  [Hosting Metrics](#) | [Stock Ticker](#) | [Download](#) | [Whois](#) | [Cheap Registrar](#) | [Site Map](#)



Whois  [Domain Search](#) [Domain Suggestions](#) [For Sale](#) [Sales History](#) [Auction Search](#) [Aftermarket.com Live Auctions](#) [Domain Monitor](#)

[Domain Director](#) [Ping](#)  [TraceRoute](#)  [My IP Address](#) [Domain Parking](#) [Cheap Domain Name Registration](#) [Bulk Check](#) [Domain Type Generator](#) [more >](#)

**Power Tools:** [Reverse IP](#) [Domain History](#) [Mark Alert](#) [Name Server Spy](#) [Hosting History](#) [Registrant Search](#) [Registrant Alert](#)

## Conscallhome.com on 2009-01-16 - Domain History

[« Previous](#)

[Next »](#)

**Domain:** [conscallhome.com](#) - [Domain History](#)

**Cache Date:** 2009-01-16

**Registrar:** **GODADDY.COM, INC.**

**Registrant** Click on an email address we found in this whois record

**Search:** to see which other domains the registrant is associated with:

[info@conscallhome.com](mailto:info@conscallhome.com)

---

**Registrant:**

Teleware, LLC

PO BOX 101379

Cape Coral, Florida 33910

United States

Domain Name: CONSCALLHOME.COM

Created on: 16-Jan-08

Expires on: 16-Jan-11

Last Updated on: 04-Jan-09

Administrative Contact:

Meade, Tim info@consCallHome.com

Teleware, LLC

PO BOX 101379

Cape Coral, Florida 33910

United States

2392140061 Fax --

Technical Contact:

Meade, Tim info@consCallHome.com

Teleware, LLC

PO BOX 101379

Cape Coral, Florida 33910

United States

2392140061 Fax --

Domain servers in listed order:

NS21.DOMAINCONTROL.COM

NS22.DOMAINCONTROL.COM



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Whois  Domain Search Domain Suggestions For Sale Sales History Auction Search Aftermarket.com Live Auctions Domain Monitor

Domain Directory Ping  Tracert  My IP Address Domain Parking Cheap Domain Name Registration Bulk Check Domain Type Generator [more >](#)

Power Tools: Reverse IP Domain History Mark Alert Name Server Up Hosting History Registrant Search Registrant Alert

## Conscallhome.com on 2008-01-18 - Domain History

[Next >](#)

**Domain:** [conscallhome.com](#) - [Domain History](#)

**Cache Date:** 2008-01-18

**Registrar:** **GODADDY.COM, INC.**

**Registrant** Click on an email address we found in this whois record

**Search:** to see which other domains the registrant is associated with:

[weboat@gmail.com](#)

---

Registrant:

Millicorp

40 SE 5th Street

Suite 405

Boca Raton, Florida 33432

United States

Domain Name: CONSCALLHOME.COM

Created on: 16-Jan-08

Expires on: 17-Jan-09

Last Updated on: 16-Jan-08

Administrative Contact:

Meade, Tim weboat@gmail.com

Millicorp

40 SE 5th Street

Suite 405

Boca Raton, Florida 33432

United States

(561) 892-2185 Fax --

Technical Contact:

Meade, Tim weboat@gmail.com

Millicorp

40 SE 5th Street

Suite 405

Boca Raton, Florida 33432

United States

(561) 892-2185 Fax --

Domain servers in listed order:

NS21.DOMAINCONTROL.COM

NS22.DOMAINCONTROL.COM



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# **EXHIBIT 14**